



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-3503 FAX (603) 271-5171



March 29, 2004

LETTER OF DEFICIENCY #WSEB 04-044
CERTIFIED MAIL #7000 0600 0023 9933 8040

Chris Rich
Christmas Mountain
Condominium Association
PO Box 2426
North Conway, NH 03860-2426

Subject: Bartlett - Public Water System: Christmas Mountain Condominiums (EPA #0162220)

Dear Mr. Rich:

The records of the Department of Environmental Services (DES) show that the Christmas Mountain Condominiums water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system supplying 15 or more services, or 25 or more people, for 60 or more days per year. Pursuant to NH Admin. Rule Env-Ws 306, PWSs are subject to periodic inspections or sanitary surveys by DES staff. The purpose of the sanitary survey is to evaluate the adequacy of source(s), storage facilities, equipment, operation, and maintenance to produce and distribute safe drinking water. Pursuant to Env-Ws 360.10, a PWS owner is required to promptly repair and fully maintain the operational readiness of the water system.

On June 19, 2003, personnel from DES conducted a sanitary survey of the subject water system. The sanitary survey report, dated June 19, 2003, identified the deficiency(ies) found during the sanitary survey, requested that the deficiencies be promptly corrected, and requested that DES be notified when the corrections had been completed. DES has no record of the requested response to the sanitary survey report. As a result, a follow-up letter, dated February 4, 2004, was sent to you. The follow-up letter requested that you respond in writing, within 15 days, and either indicate that the deficiencies had already been corrected, or provide a copy of the completion schedule that you have established for correcting the deficiencies. To date, DES has not received any correspondence indicating that the deficiencies have been corrected, thus placing the water system in violation of Env-Ws 360.10 and the specific citation(s) noted below.

DES records indicate the following sanitary survey deficiency(ies) remain unresolved:

Confined Space Entry: Env-Ws 372.21

Measures need to be taken in the design and construction of the pump station facilities to improve access to the meter and source tap area. Specifically, increase the size of the access opening to the meter pit and install a staircase or ladder with handrails to access the meter pit.

DES believes the deficiency can be corrected by taking the following action(s):

A. If the sanitary survey deficiency has not been corrected:

By June 1, 2004, correct the deficiency described above; and

2. **By June 5, 2004**, provide DES with documentation that the sanitary survey deficiency has been corrected.

B. If the sanitary survey deficiency has already been corrected:

- 1 **By April 5, 2004**, provide DES with documentation that the sanitary survey deficiency has been corrected.

In the event compliance is not achieved within these time periods, DES may take further enforcement action, including issuing an order requiring the deficiencies to be corrected, initiating an administrative fine proceeding, and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

Please send all correspondence made in connection with this letter to DES as follows:

Anne S. Bailey
Department of Environmental Services
Water Supply Engineering Bureau
29 Hazen Drive, PO Box 95
Concord, NH 03302-0095
Fax: (603) 271-0656

Please contact Don Greenwood at (603) 271-3906 or by e-mail at dgreenwood@des.state.nh.us, if you have any questions regarding the noted deficiency. If you have any questions concerning this letter or enforcement issues, please contact Anne Bailey at (603) 271-0672 or by email at abailey@des.state.nh.us.

Sincerely,

COPY

Rene Pelletier, P.G., Manager
Land Resource Programs

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cc: Gretchen Rule, DES Legal Unit
Peter Sommers, Primary Operator
Don Greenwood, DES WSEB
Town of Bartlett Health Officer
EPA, Region 1